



09-27-04

RCE  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Gust H. Bardy et al. Confirmation No.: 5571  
Serial No.: 09/940,266 Examiner: K. Droesch  
Filing Date: August 27, 2001 Group Art Unit: 3762  
Docket No.: 1201.1103101 Customer No.: 28075  
For: BIPHASIC WAVEFORM FORM ANTI-TACHYCARDIA PACING FOR A  
SUBCUTANEOUS IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of : EV 314495517 US, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 24th day of September 2004.

By Kathleen L. Boekley  
Kathleen L. Boekley

Dear Sir:

This is a request for Continued Examination (RCE) under 37 CFR §1.114 of the above-identified application.

**SUBMISSION REQUIRED UNDER 37 CFR §1.114**

Applicants hereby submit and request consideration of the Amendment After Final filed August 24, 2004. Also enclosed is a Petition for a Three-Month Extension of Time, thus extending the period for response to September 24, 2004.

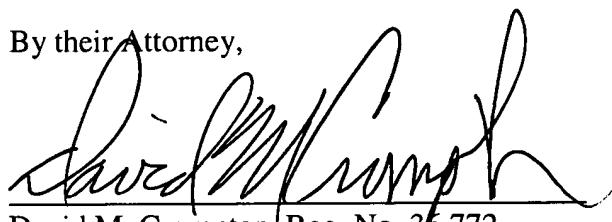
## FEES

The RCE fee (37 CFR §1.17(e)) in the amount of \$385.00 is attached. Please charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0413.

Respectfully submitted,

Gust H. Bardy et al.

By their Attorney,



David M. Crompton, Reg. No. 36,772  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
Tel: (612) 677-9050  
Fax: (612) 359-9349

Date: 9/24/04



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gust H. Bardy et al. Confirmation No.: 5571  
Serial No.: 09/940,266 Examiner: K. Drosch  
Filing Date: August 27, 2001 Group Art Unit: 3762  
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**TRANSMITTAL SHEET**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of : EV 314495517 US, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

on this 24th day of September 2004.

By Kathleen L. Boekley  
Kathleen L. Boekley

We are transmitting herewith the attached:

Amendment  
 No additional claim fee required  
 The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3) REMAINING CLAIMS	(4) HIGHEST PAID	(5) EXTRA	SMALL ENTITY		OTHER	
				RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86 =	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

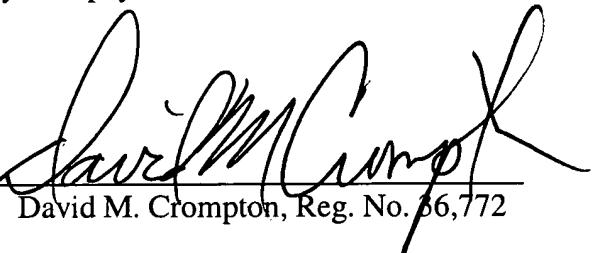
[XX] A check in the amount of \$650.00 is enclosed. Itemization:  
Fee Code 2253      \$265.00  
Fee Code 2801      \$385.00  
Fee Code \_\_\_\_\_      \$

[XX] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[XX] Other: PETITION FOR A THREE-MONTH EXTENSION OF TIME, AND REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:   
David M. Crompton, Reg. No. 36,772

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